

AN ACT
D.C. ACT 24-727

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 10, 2023

To amend the District of Columbia Procurement Practices Act of 1985 to provide the Office of the Inspector General's criminal investigators with authority to carry less lethal weapons; to arrest without a warrant for any felony violation of a federal or District of Columbia statute if the criminal investigator has probable cause to believe that the person to be arrested has committed or is committing such felony, to provide the Office of the Inspector General's criminal investigators with authority to apply for and execute arrest warrants, to require reporting on uses of force by criminal investigators at the Office of the Inspector General, to provide the Inspector General with the authority to directly enter into agreements with federal partners, and to require the establishment of a body-worn camera program for criminal investigators at the Office of the Inspector General.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Inspector General Enhancement Amendment Act of 2022".

Sec. 2. Section 208 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986, (D.C. Law 6-85; D.C. Official Code §1-301.115a), is amended as follows:

(a) Subsection (f-1) is amended as follows:

(1) The lead in language is amended by striking the phrase "duties:" and inserting the phrase "duties within the District of Columbia, at a District government facility located outside of the District, or, subject to federal, state and local laws, outside of the District:".

(2) Paragraphs (1) and (2) are amended to read as follows:

"(1) To carry a firearms and less lethal weapons; provided, that:

"(A) The employee has completed a course of training in the safe handling of firearms and less lethal weapons and the appropriate use of force;

"(B) The employee is qualified in the safe handling of firearms and less lethal weapons and the appropriate use of force according to the standards applicable to officers of the Metropolitan Police Department and the standards found in the U.S. Attorney General Guidelines for Offices of Inspector General with Statutory Law Enforcement Authority, or similar subsequent guidelines;

"(C) That the employee shall not carry a firearm or less lethal weapon in the course of official duties unless it is authorized in writing by the Inspector General;

"(D) That the employee shall be subject to the limitations on the use of

force generally applicable to law enforcement officers in the District; and

“(E) The Inspector General, in consultation with the Metropolitan Police Department, has issued written guidelines pertaining to the authority to carry weapons, the appropriate use and deployment of those weapons, weapons issuance and security, weapons training, and the appropriate use of force.

“(2) Notwithstanding any other law, to make an arrest without a warrant while the employee is engaged in the performance of his or her official duties in the District of Columbia, at a District government facility located outside of the District, or, subject to federal, state, and local laws, outside of the District of Columbia; provided, that:

“(A) The employee has probable cause to believe that a felony violation of a federal or District statute is being committed in his or her presence; or

“(B) The employee has probable cause to believe that the person to be arrested has committed a felony; and”.

(3) Paragraph (3) is amended by striking the phrase “execute a warrant for the search of premises or the seizure if the warrant” and inserting “to execute arrest warrants or warrants for search and seizure if the warrant” in its place.

(b) Subsection (f-2) is amended striking the phrase “fiscal year.” and inserting in the phrase “fiscal year, including a report detailing all uses of force by employees covered by subsection (f-1) of this section, including:

“(1) The date, time, and location of each incident;

“(2) A description of each use of force; and,

“(3) The result of any investigation of each use of force, including any determination of whether the use of force was justified and any discipline imposed.” in its place.

(c) New subsections (f-6) and (f-7) are added to read as follows:

“(f-6) Except as prohibited by section 7 of An Act to create a Department of Corrections in the District of Columbia, effective December 11, 2021 (D.C. Law 19-194; D.C. Official Code § 24-211.07), the Inspector General may enter into an agreement with a federal, state, or local law enforcement agency to assist the Office of the Inspector General in carrying out its duties, including through:

“(1) Sponsoring and obtaining special deputation of an employee of the Office of the Inspector General, who as part of his or her official duties conducts investigations of alleged felony violations;

“(2) Receiving and, to the extent necessary for the completion of joint operations, sharing equipment, supplies, and services; and

“(3) Entering into agreements that delineate investigative responsibilities and functions between the respective agencies in areas of joint jurisdiction.

“(f-7) By October 1, 2024, the Inspector General shall establish an Office of the Inspector General Body-Worn Camera program that shall, at a minimum:

“(1) Equip all employees covered by subsection (f-1) of this section with a body-worn camera while carrying a firearm or less lethal weapon during the tactical portion of law enforcement activities in the performance of official duties;

“(2) Operate pursuant to published standards made available online, and provided

to the Council, that include:

- “(A) Standards for public access to body-worn camera recordings;
- “(B) Policies for retaining body-worn camera recordings;
- “(C) Procedures for auditing the Body-Worn Camera Program;
- “(D) Policies for protecting the security and integrity of body-worn

camera data; and

“(E) Mechanisms for cost recovery of freedom of information requests under the Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).”.

Sec. 3. Applicability.

(a) Amendatory subsection (f-7) in section 2(c) shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 4. Fiscal impact statement.


The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.


This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 10, 2023



COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, DC, 20004

Docket No. **B24-0129**

[] ITEM ON CONSENT CALENDAR

[X] ACTION

First Reading

[X] VOTE DATE

December 6, 2022

[] VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

Gray, and Pinto

[X] ROLL CALL VOTE – Result

Approved

Council Member	Aye	Nay	NV	AB	Rec	Council Member	Aye	Nay	NV	AB	Rec	Council Member	Aye	Nay	NV	AB	Rec
Chairman Mendelson	X					Henderson	X					R. White	X				
Allen	X					Lewis George	X					Silverman	X				
Bonds	X					McDuffie	X					T. White	X				
Cheh	X					Nadeau	X										
Gray				X		Pinto				X							
X - Indicate Vote						AB – Absent						NV - Present, Not Voting					
												Rec - Recused					

CERTIFICATION RECORD


 Secretary to the Council

1-1-23
 Date

Docket No. **B24-0129**

[X] ITEM ON CONSENT CALENDAR

[X] ACTION

Final Reading, CC

[X] VOTE DATE

December 20, 2022

[] VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

[X] ROLL CALL VOTE – Result

Approved

Council Member	Aye	Nay	NV	AB	Rec	Council Member	Aye	Nay	NV	AB	Rec	Council Member	Aye	Nay	NV	AB	Rec
Chairman Mendelson	X					Henderson	X					R. White	X				
Allen	X					Lewis George	X					Silverman	X				
Bonds	X					McDuffie	X					T. White	X				
Cheh	X					Nadeau	X										
Gray	X					Pinto	X										
X - Indicate Vote						AB – Absent						NV - Present, Not Voting					
												Rec - Recused					

CERTIFICATION RECORD


 Secretary to the Council

1-1-23
 Date